

## Everett, Adolph

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**From:** Chester, Amy  
**Sent:** Monday, April 03, 2017 10:23 AM  
**To:** Seppi, Pat; Conetta, Benny; Everett, Adolph; Oconnell, Kimberly  
**Cc:** Abdellatif, Sameh; Hwilka, Theresa; Sawyer, William  
**Subject:** RE: Letter from Township seeking public participation at Chemours

Sorry – I sent my response before seeing Pats. I'm in Tuesday and think we should talk.

I think we need to have a general sense as to what we want, but don't feel we have to wait for the letter to be referred.

Thanks

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**From:** Seppi, Pat  
**Sent:** Monday, April 03, 2017 7:43 AM  
**To:** Conetta, Benny <Conetta.Benny@epa.gov>; Everett, Adolph <Everett.Adolph@epa.gov>; Oconnell, Kimberly <OConnell.Kim@epa.gov>; Chester, Amy <Chester.Amy@epa.gov>  
**Cc:** Abdellatif, Sameh <Abdellatif.Sameh@epa.gov>; Hwilka, Theresa <Hwilka.Theresa@epa.gov>; Sawyer, William <Sawyer.William@epa.gov>  
**Subject:** RE: Letter from Township seeking public participation at Chemours

Good Morning,

I have no problem calling the mayor – I have spoken to him in the past. It would be good to get a feel for what type of public participation he envisions. I'd like to speak to RCRA before I call to make sure I understand EPA's role as lead in the corrective action and what, if any, responsibilities DEP has.

I'll be in the office tomorrow (Tues.). Maybe we could speak first and then I'll make the call unless you think we should wait until DEP refers the letter to us.

Thanks  
Pat

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**From:** Conetta, Benny  
**Sent:** Friday, March 31, 2017 6:47 PM  
**To:** Seppi, Pat <Seppi.Pat@epa.gov>; Everett, Adolph <Everett.Adolph@epa.gov>; Oconnell, Kimberly <OConnell.Kim@epa.gov>; Chester, Amy <Chester.Amy@epa.gov>  
**Cc:** Abdellatif, Sameh <Abdellatif.Sameh@epa.gov>; Hwilka, Theresa <Hwilka.Theresa@epa.gov>; Sawyer, William <Sawyer.William@epa.gov>  
**Subject:** RE: Letter from Township seeking public participation at Chemours

Hi All,

I spoke with Steve Maybury from NJDEP. He was wondering if it might make sense for Pat to call the Mayor and sort of get a feel for where they are coming and also explain to him that the site is an EPA lead RCRA Corrective Action Site.

I told him I would bring that back and bounce it off of you all. So I am bouncing.

Please let me know what you think. If Pat is ok with reaching out to the mayor and folks are ok with it as well, it might not be a bad idea.

Thanks

ben

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**From:** Seppi, Pat

**Sent:** Wednesday, March 29, 2017 12:04 PM

**To:** Everett, Adolph <Everett.Adolph@epa.gov>; Oconnell, Kimberly <OConnell.Kim@epa.gov>; Chester, Amy <Chester.Amy@epa.gov>; Conetta, Benny <Conetta.Benny@epa.gov>

**Cc:** Abdellatif, Sameh <Abdellatif.Sameh@epa.gov>; Hwilka, Theresa <Hwilka.Theresa@epa.gov>; Sawyer, William <Sawyer.William@epa.gov>

**Subject:** RE: Letter from Township seeking public participation at Chemours

The only contact we've had with the mayor is related to the request from Chemours to sample residential drinking water wells in Carney's Point and other locations. Dr. Racite's (mayor) well was sampled early on and he called me to see if we would attend a community meeting if he felt it necessary to hold one. I told him of course we would attend; however, the town never scheduled a meeting. I did reach out to the mayor again and he stated he met with the council and they didn't feel a meeting would be needed at that point, but would let me know if that decision might change in the future.

We've never discussed the other site-related issues with the mayor or any other local officials that I'm aware of.

We probably need to meet about our future plans for outreach once the letter is referred to us by DEP. There are certainly some avenues of outreach to explore if that's where we decide to go. We have Community Advisory Groups at other sites but they are advisory groups, not decision makers. A Technical Assistance Grant (TAG) would not apply to Deepwater since they are a RCRA site, not a Superfund site. We do have other programs that we can discuss when we meet.

Thanks

Pat

Pat

Public Affairs Office

Community Liaison

(212) 637-3679 - office

(646)369-0068 - cell

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**From:** Everett, Adolph

**Sent:** Wednesday, March 29, 2017 7:50 AM

**To:** Oconnell, Kimberly <OConnell.Kim@epa.gov>; Chester, Amy <Chester.Amy@epa.gov>; Conetta, Benny <Conetta.Benny@epa.gov>; Seppi, Pat <Seppi.Pat@epa.gov>

**Cc:** Abdellatif, Sameh <Abdellatif.Sameh@epa.gov>; Hwilka, Theresa <Hwilka.Theresa@epa.gov>; Sawyer, William <Sawyer.William@epa.gov>

**Subject:** RE: Letter from Township seeking public participation at Chemours

Steve Maybury of NJDEP asked if we've had any contact with the mayor or other elected officials on this. Pat, can you advise here?

He said he would likely recommend to his management that DEP refer the mayor to EPA as lead for the site, and he asked if we've developed a position. Earlier Ben suggested possibly providing thoughts to DEP or just awaiting the mayor's letter, not sure if we reached a decision.

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**From:** Oconnell, Kimberly

**Sent:** Friday, March 17, 2017 9:06 AM

**To:** Chester, Amy <[Chester.Amy@epa.gov](mailto:Chester.Amy@epa.gov)>; Conetta, Benny <[Conetta.Benny@epa.gov](mailto:Conetta.Benny@epa.gov)>; Seppi, Pat <[Seppi.Pat@epa.gov](mailto:Seppi.Pat@epa.gov)>; Everett, Adolph <[Everett.Adolph@epa.gov](mailto:Everett.Adolph@epa.gov)>  
**Cc:** Abdellatif, Sameh <[Abdellatif.Sameh@epa.gov](mailto:Abdellatif.Sameh@epa.gov)>; Hwilka, Theresa <[Hwilka.Theresa@epa.gov](mailto:Hwilka.Theresa@epa.gov)>; Sawyer, William <[Sawyer.William@epa.gov](mailto:Sawyer.William@epa.gov)>  
**Subject:** RE: Letter from Township seeking public participation at Chemours

It is correct that the onsite gw treatment system collects pfoa. It is not really designed to treat pfoa – although it might remove some – the NJPDES permitted discharge from the gw treatment plant to the Delaware River has about 2 ppb in it. There are no NJPDES permit requirements for the pfoa – so there is no violation of the permit – but these levels are pretty high.

I believe the financial assurance we have for the corrective action work included the ongoing pump and treat operation.

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**From:** Chester, Amy  
**Sent:** Thursday, March 16, 2017 4:54 PM  
**To:** Conetta, Benny <[Conetta.Benny@epa.gov](mailto:Conetta.Benny@epa.gov)>; Seppi, Pat <[Seppi.Pat@epa.gov](mailto:Seppi.Pat@epa.gov)>; Everett, Adolph <[Everett.Adolph@epa.gov](mailto:Everett.Adolph@epa.gov)>  
**Cc:** Abdellatif, Sameh <[Abdellatif.Sameh@epa.gov](mailto:Abdellatif.Sameh@epa.gov)>; Hwilka, Theresa <[Hwilka.Theresa@epa.gov](mailto:Hwilka.Theresa@epa.gov)>; OConnell, Kimberly <[OConnell.Kim@epa.gov](mailto:OConnell.Kim@epa.gov)>; Sawyer, William <[Sawyer.William@epa.gov](mailto:Sawyer.William@epa.gov)>  
**Subject:** RE: Letter from Township seeking public participation at Chemours

The letter mostly focuses on isra so it's a bit odd to send it to us. That said, I assume they will want to be more involved at the site, putting isra issues aside.

In terms of public participation – huge efforts were made regarding pfoa and getting private wells off-site tested, filters added etc.

Generally speaking – corrective action is subject to public participation, but pfoa is not technically part of corrective action on the permit.

(kim and Theresa – is it correct the onsite gw system recovers pfoa? )

There is no real reason however why we can't up the overall level of public involvement.

The 1.1 Billion dollar clean up number seems to have largely come from a computer program called RACER. (See page 10, para 24 on attached complaint) I believe our 11 million is limited to approved corrective action remedies under the permit. I'm not sure the extent to which this includes gw onsite remediation but we could look back and figure that out (or call Sin-kie)

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**From:** Conetta, Benny  
**Sent:** Thursday, March 16, 2017 4:33 PM  
**To:** Chester, Amy <[Chester.Amy@epa.gov](mailto:Chester.Amy@epa.gov)>; Seppi, Pat <[Seppi.Pat@epa.gov](mailto:Seppi.Pat@epa.gov)>; Everett, Adolph <[Everett.Adolph@epa.gov](mailto:Everett.Adolph@epa.gov)>  
**Cc:** Abdellatif, Sameh <[Abdellatif.Sameh@epa.gov](mailto:Abdellatif.Sameh@epa.gov)>; Hwilka, Theresa <[Hwilka.Theresa@epa.gov](mailto:Hwilka.Theresa@epa.gov)>; OConnell, Kimberly <[OConnell.Kim@epa.gov](mailto:OConnell.Kim@epa.gov)>; Sawyer, William <[Sawyer.William@epa.gov](mailto:Sawyer.William@epa.gov)>  
**Subject:** RE: Letter from Township seeking public participation at Chemours

ATTNY Client

Thanks Amy.

It does not appear that they are asking for funding of their LSRP – could be wrong.

My expectation is that this letter will be addressed to us after DEP responds – may be worth thinking about anything we may want DEP to include...or we just wait for the letter directed to us.

Re FA. They mention a 1.1 B amount. I know that is ISRA derived funding source, but the 11 mil FA we have I assume is mostly for investigation purposes?

They will have the ability to comment on a number of investigative activities and potential remedies and we do have public participation. Do we have a public participation plan for the site? If not, should we start thinking about one?

Thanks  
ben

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**From:** Chester, Amy  
**Sent:** Wednesday, March 15, 2017 12:25 PM  
**To:** Conetta, Benny <[Conetta.Benny@epa.gov](mailto:Conetta.Benny@epa.gov)>; Seppi, Pat <[Seppi.Pat@epa.gov](mailto:Seppi.Pat@epa.gov)>; Everett, Adolph <[Everett.Adolph@epa.gov](mailto:Everett.Adolph@epa.gov)>  
**Cc:** Abdellatif, Sameh <[Abdellatif.Sameh@epa.gov](mailto:Abdellatif.Sameh@epa.gov)>; Hwilka, Theresa <[Hwilka.Theresa@epa.gov](mailto:Hwilka.Theresa@epa.gov)>; Oconnell, Kimberly <[OConnell.Kim@epa.gov](mailto:OConnell.Kim@epa.gov)>; Sawyer, William <[Sawyer.William@epa.gov](mailto:Sawyer.William@epa.gov)>  
**Subject:** RE: Letter from Township seeking public participation at Chemours

ATTY Client

Chemours has financial assurance (slightly over 11 million) for corrective action under the permit. It uses a standby trust and guarantee bond. I do not think however that the amount covers the cost of remediating pfoa since this is outside of 'corrective action'

AS you know, ISRA is a New Jersey Act

Ultimately it seems they want to have their own LSRP reviewing work at the site. Unclear who will pay for this. My main objection to their letter is point 5 regarding resolution of disputes. I think a lot of the permitting remediation requirements would be subject to public participation. It's gets trickier with the pfoa.

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**From:** Conetta, Benny  
**Sent:** Wednesday, March 15, 2017 11:27 AM  
**To:** Seppi, Pat <[Seppi.Pat@epa.gov](mailto:Seppi.Pat@epa.gov)>; Everett, Adolph <[Everett.Adolph@epa.gov](mailto:Everett.Adolph@epa.gov)>; Chester, Amy <[Chester.Amy@epa.gov](mailto:Chester.Amy@epa.gov)>  
**Cc:** Abdellatif, Sameh <[Abdellatif.Sameh@epa.gov](mailto:Abdellatif.Sameh@epa.gov)>; Hwilka, Theresa <[Hwilka.Theresa@epa.gov](mailto:Hwilka.Theresa@epa.gov)>; Oconnell, Kimberly <[OConnell.Kim@epa.gov](mailto:OConnell.Kim@epa.gov)>  
**Subject:** FW: Daily Mail - 03-08-2017

Hi Pat, All,

FYI. The attached letter is from one of the Mayors and is making a number of requests. It was addressed to DEP. spoke with Steve at DEP. Their response will likely be that this is an EPA lead site.

Think we should get together and discuss the items they are requesting. I will also touch base with Patti Rosa to see if we have an FA on file (or one of you may already have the answer to that).

One other issue that Steve mentioned is that there is an issue regarding ISRA and whether that was triggered. They are evaluating that. Biggest issue he sees is that chemours would be required to have a funding source. If it is found to be an issue, and ACO may need to be signed with Chemours (and DEP). If that happens, we may want to kick that around internally as well and think about any implications or benefits.

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**From:** Maybury, Steve [<mailto:Steve.Maybury@dep.nj.gov>]  
**Sent:** Wednesday, March 15, 2017 9:39 AM  
**To:** Conetta, Benny <[Conetta.Benny@epa.gov](mailto:Conetta.Benny@epa.gov)>

**Cc:** Everett, Adolph <[Everett.Adolph@epa.gov](mailto:Everett.Adolph@epa.gov)>

**Subject:** FW: Daily Mail - 03-08-2017

Ben

See attached. Since it is an EPA lead, I will call later to discuss a response.

Stephen E. Maybury

New Jersey Department of Environmental Protection

Chief, Bureau of Case Management

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